

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FEDERATED RURAL ELECTRIC
INSURANCE EXCHANGE and TIG
INSURANCE COMPANY,

Plaintiffs,

v.

PUBLIC UTILITY DISTRICT NO. 1 of
COWLITZ COUNTY, WASHINGTON, a
Washington municipal corporation,

Defendant.

Case No. C04-5052 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon TIG's Post-Appraisal Motion for Summary Judgment Re: 26% Replacement Power Allocation Issue, or, in the Alternative, Request for Trial on this Issue [Dkt. #270].

Because the Court has previously ruled that the insurers are liable (up to their \$2,500,000 sublimit) for 100% of the loss of power from Swift No. 2 [See Order Regarding Motions for Summary Judgment, pp. 5-6, Dkt. #220], defendant need not file a response in opposition to this motion.

IT IS SO ORDERED.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 6th day of June, 2007.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE